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1 **SECTION 83.** 6.87 (4) of the statutes, as affected by 2003 Wisconsin Act 265,
2 section 112a, is amended to read:

3 6.87 (4) Except as otherwise provided in s. 6.875, the elector voting absentee
4 shall make and subscribe to the certification before one witness who is an adult U.S.
5 citizen. The absent elector, in the presence of the witness, shall mark the ballot in
6 a manner that will not disclose how the elector's vote is cast. The elector shall then,
7 still in the presence of the witness, fold the ballots so each is separate and so that the
8 elector conceals the markings thereon and deposit them in the proper envelope. If
9 a consolidated ballot under s. 5.655 is used, the elector shall fold the ballot so that
10 the elector conceals the markings thereon and deposit the ballot in the proper
11 envelope. ~~If the elector has registered by mail and has not, or is not certain whether~~
12 ~~the elector has, previously voted in an election for national office in this state~~ proof
13 of residence is required, the elector shall enclose ~~identification~~ proof of residence
14 under s. 6.34 in the envelope. ~~Identification~~ Proof of residence is required if the
15 elector is not a military elector or an overseas elector, as defined in s. ~~6.36(2)(e)~~ 6.34
16 (1), and the elector registered by mail and has not voted in an election for national
17 office in this state. If the elector requested a ballot by means of facsimile
18 transmission or electronic mail under s. 6.86 (1) (ac), the elector shall enclose in the
19 envelope a copy of the request which bears an original signature of the elector. The
20 elector may receive assistance under sub. (5). The return envelope shall then be
21 sealed. The witness may not be a candidate. The envelope shall be mailed by the
22 elector, ~~postage prepaid,~~ or delivered in person, to the municipal clerk issuing the
23 ballot or ballots. If the envelope is mailed from a location outside the United States,
24 the elector shall affix sufficient postage unless the ballot qualifies for delivery free
25 of postage under federal law. Failure to return an unused ballot in a primary does

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1 not invalidate the ballot on which the elector's votes are cast. Return of more than
2 one marked ballot in a primary or return of a ballot prepared under s. 5.655 or a ballot
3 used with an electronic voting system in a primary which is marked for candidates
4 of more than one party invalidates all votes cast by the elector for candidates in the
5 primary.

6 **SECTION 84.** 6.87 (6) of the statutes is amended to read:

7 6.87 (6) The Except as provided in s. 6.22 (5m), the ballot shall be returned so
8 it is received by the municipal clerk in time for delivery no later than 8 p.m. on
9 election day. Except in municipalities where absentee ballots are canvassed under
10 s. 7.52, if the municipal clerk receives an absentee ballot on election day, the clerk
11 shall secure the ballot and cause the ballot to be delivered to the polls polling place
12 serving the elector's residence before the closing hour. Any Except as provided in s.
13 6.22 (5m), any ballot not mailed or delivered as provided in this subsection may not
14 be counted.

15 **SECTION 85.** 6.87 (9) of the statutes is amended to read:

16 6.87 (9) If a municipal clerk receives an absentee ballot with an improperly
17 completed certificate or with no certificate, the clerk may return the ballot to the
18 elector, inside the sealed envelope when an envelope is received, together with a new
19 envelope if necessary, whenever time permits the elector to correct the defect and
20 return the ballot within the period ~~prescribed in~~ authorized under sub. (6).

21 **SECTION 86.** 6.875 (4) and (6) of the statutes are amended to read:

22 6.875 (4) For the purpose of absentee voting in nursing homes and qualified
23 retirement homes and qualified community-based residential facilities, the
24 municipal clerk or board of election commissioners of each municipality in which one
25 or more nursing homes or qualified retirement homes or qualified community-based

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1 residential facilities are located shall appoint at least 2 special voting deputies for
2 the municipality. Upon application under s. 6.86 (1) or (2) by one or more qualified
3 electors who are occupants of such a nursing home or qualified retirement home or
4 qualified community-based residential facility, the clerk or board of election
5 commissioners shall dispatch 2 special voting deputies to visit the home or qualified
6 community-based residential facility for the purpose of supervising absentee voting
7 procedure by occupants of the home or qualified community-based residential
8 facility. The clerk shall maintain a list, available to the public upon request, of each
9 nursing home or qualified retirement home or qualified community-based
10 residential facility where an elector has requested an absentee ballot. The list shall
11 include the date and time the deputies intend to visit each home or facility. The 2
12 deputies designated to visit each nursing home or qualified retirement home and
13 qualified community-based residential facility shall be affiliated with different
14 political parties whenever deputies representing different parties are available.
15 Nominations for deputy positions may be submitted by the 2 recognized political
16 parties whose candidates for governor or president received the greatest numbers of
17 votes in the municipality at the most recent general election. The deputies shall be
18 specially appointed to carry out duties under this section for the period specified in
19 s. 7.30 (6) (a). The clerk or board of election commissioners may revoke an
20 appointment at any time. No individual who is employed or retained, or within the
21 2 years preceding appointment has been employed or retained at a nursing home or
22 qualified retirement home or qualified community-based residential facility in the
23 municipality, or any member of the immediate family of such an individual as defined
24 in s. 19.42 (7), may be appointed to serve as a deputy.

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1 (6) Special voting deputies in each municipality shall, not later than 5 p.m. on
2 the Friday preceding an election, arrange one or more convenient times with the
3 administrator of each nursing home, qualified retirement home, and qualified
4 community-based residential facility in the municipality from which one or more
5 occupants have filed an application under s. 6.86 to conduct absentee voting for the
6 election. The time may be no earlier than the 4th Monday preceding the election and
7 no later than 5 p.m. on the Monday preceding the election. Upon request of a relative
8 of an occupant of a nursing home or qualified retirement home or qualified
9 community-based residential facility, the administrator may notify the relative of
10 the time or times at which special voting deputies will conduct absentee voting at the
11 home or facility, and permit the relative to be present in the room where the voting
12 is conducted. The municipal clerk shall post a notice at the home or facility
13 indicating the date and time that absentee voting will take place at that home or
14 facility. The notice shall be posted as soon as practicable after arranging the visit but
15 in no case less than 24 hours before the visit. At the designated time, 2 deputies
16 appointed under sub. (4) shall visit the home or facility. The municipal clerk or
17 executive director of the board of election commissioners shall issue a supply of
18 absentee ballots to the deputies sufficient to provide for the number of valid
19 applications received by the clerk, and a reasonable additional number of ballots.
20 The deputies may exercise the authority granted to the chief inspector under s. 7.41
21 to regulate the conduct of observers for purposes of the application of s. 7.41, the
22 home or facility shall be treated as a polling place. The municipal clerk or executive
23 director shall keep a careful record of all ballots issued to the deputies and shall
24 require the deputies to return every ballot issued to them. The deputies shall
25 personally offer each elector who has filed a proper application the opportunity to

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1 cast his or her absentee ballot. If an elector is present who has not filed a proper
2 application, the 2 deputies may accept an application from the elector and shall issue
3 a ballot to the elector if the elector is qualified and the application is proper. The
4 deputies shall each witness the certification and may, upon request of the elector,
5 assist the elector in marking the elector's ballot. Upon request of the elector, a
6 relative of the elector who is present in the room may assist the elector in marking
7 the elector's ballot. All voting shall be conducted in the presence of the deputies. No
8 individual other than a deputy may witness the certification and no individual other
9 than a deputy or relative of an elector may render voting assistance to the elector.
10 Upon completion of the voting, the deputies shall promptly deliver, either personally
11 or by 1st class mail, any absentee ballot applications and the sealed certificate
12 envelope containing each ballot to the clerk or board of election commissioners of the
13 municipality in which the elector casting the ballot resides, within such time as will
14 permit delivery to the polling place serving the elector's residence on election day.
15 Personal delivery may be made by the deputies no later than noon on election day.
16 If a qualified elector is not able to cast his or her ballot on 2 separate visits by the
17 deputies to the home or facility, they shall so inform the municipal clerk or executive
18 director of the board of election commissioners, who may then send the ballot to the
19 elector no later than 5 p.m. on the Friday preceding the election.

20 **SECTION 87.** 6.875 (7) of the statutes is created to read:

21 6.875 (7) One observer from each of the 2 recognized political parties whose
22 candidate for governor or president received the greatest number of votes in the
23 municipality at the most recent general election may accompany the deputies to each
24 home or facility where absentee voting will take place under this section. The
25 observers may observe the process of absentee ballot distribution in the common

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1 areas of the home or facility. Each party wishing to have an observer present shall
2 submit the name of the observer to the clerk or board of election commissioners no
3 later than the close of business on the last business day prior to the visit.

4 **SECTION 88.** 6.88 (1) to (3) of the statutes are amended to read:

5 6.88 (1) When an absentee ballot arrives at the office of the municipal clerk,
6 or at an alternate site under s. 6.855, if applicable, the clerk shall enclose it,
7 unopened, in a carrier envelope which shall be securely sealed and endorsed with the
8 name and official title of the clerk, and the words "This envelope contains the ballot
9 of an absent elector and must be opened in the same room where votes are being cast
10 at the polls during polling hours on election day or, in municipalities where absentee
11 ballots are canvassed under s. 7.52, stats., at a meeting of the municipal board of
12 absentee ballot canvassers under s. 7.52, stats.". If the ballot was received by the
13 elector by facsimile transmission or electronic mail and is accompanied by a separate
14 certificate, the clerk shall enclose the ballot in a certificate envelope and securely
15 append the completed certificate to the outside of the envelope before enclosing the
16 ballot in the carrier envelope. The clerk shall keep the ballot in the clerk's office or
17 at the alternate site, if applicable until delivered, as required in sub. (2).

18 (2) When an absentee ballot is received by the municipal clerk prior to the
19 delivery of the official ballots to the election officials of the ward in which the elector
20 resides or, where absentee ballots are canvassed under s. 7.52, to the municipal board
21 of absentee ballot canvassers, the municipal clerk shall seal the ballot envelope in
22 the carrier envelope as provided under sub. (1), and shall enclose the envelope in a
23 package and deliver the package to the election inspectors of the proper ward or
24 election district or, in municipalities where absentee ballots are canvassed under s.
25 7.52, to the municipal board of absentee ballot canvassers when it convenes under

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1 s. 7.52 (1). When the official ballots for the ward or election district have been
2 delivered to the election ~~officials~~ inspectors before the receipt of an absentee ballot,
3 the clerk shall immediately enclose the envelope containing the absentee ballot in
4 a carrier envelope as provided under sub. (1) and deliver it in person to the proper
5 election officials.

6 (3) (a) Any Except in municipalities where absentee ballots are canvassed
7 under s. 7.52, at any time between the opening and closing of the polls on election day,
8 the inspectors shall, in the same room where votes are being cast, in such a manner
9 that members of the public can hear and see the procedures, open the carrier
10 envelope only, and announce the name of the absent elector or the identification
11 serial number of the absent elector if the elector has a confidential listing under s.
12 6.47 (2). When the inspectors find that the certification has been properly executed,
13 the applicant is a qualified elector of the ward or election district, and the applicant
14 has not voted in the election, they shall enter an indication on the poll list next to the
15 applicant's name indicating an absentee ballot is cast by the elector. They shall then
16 open the envelope containing the ballot in a manner so as not to deface or destroy the
17 certification thereon. The inspectors shall take out the ballot without unfolding it
18 or permitting it to be unfolded or examined. Unless the ballot is cast under s. 6.95,
19 the inspectors shall verify that the ballot has been endorsed by the issuing clerk. If
20 the poll list indicates that ~~identification~~ proof of residence under s. 6.34 is required
21 and no ~~identification~~ proof of residence is enclosed or the name or address on the
22 document that is provided is not the same as the name and address shown on the poll
23 list, the inspectors shall proceed as provided under s. 6.97 (2). The inspectors shall
24 then deposit the ballot into the proper ballot box and enter the absent elector's name

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1 or voting number after his or her name on the poll list in the same manner as if the
2 elector had been present and voted in person.

3 (b) When the inspectors find that a certification is insufficient, that the
4 applicant is not a qualified elector in the ward or election district, that the ballot
5 envelope is open or has been opened and resealed, that the ballot envelope contains
6 more than one ballot of any one kind or, except in municipalities where absentee
7 ballots are canvassed under s. 7.52, that the certificate of an elector who received an
8 absentee ballot by facsimile transmission or electronic mail is missing, or if proof is
9 submitted to the inspectors that an elector voting an absentee ballot has since died,
10 the inspectors shall not count the ballot. The inspectors shall endorse every ballot
11 not counted on the back, “rejected (giving the reason)”. The inspectors shall reinsert
12 each rejected ballot into the certificate envelope in which it was delivered and enclose
13 the certificate envelopes and ballots, and securely seal the ballots and envelopes in
14 an envelope marked for rejected absentee ballots. The inspectors shall endorse the
15 envelope, “rejected ballots” with a statement of the ward or election district and date
16 of the election, signed by the chief inspector and one of the inspectors representing
17 each of the 2 major political parties and returned to the municipal clerk in the same
18 manner as official ballots voted at the election.

19 **SECTION 89.** 6.88 (3) (c) of the statutes is created to read:

20 6.88 (3) (c) The inspectors shall review each certificate envelope to determine
21 whether any absentee ballot is cast by an elector whose name appears on the poll list
22 as ineligible to vote at the election by reason of a felony conviction. If the inspectors
23 receive an absentee ballot that has been cast by an elector whose name appears on
24 the poll list as ineligible for that reason, the inspectors shall challenge the ballot as
25 provided in s. 6.92 and treat the ballot in the manner provided in s. 6.95.

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1 **SECTION 90.** 6.93 of the statutes is amended to read:

2 **6.93 Challenging the absent elector.** The vote of any absent elector may be
3 challenged for cause and the inspectors of election shall have all the power and
4 authority given them to hear and determine the legality of the ballot the same as if
5 the ballot had been voted in person. In municipalities where absentee ballots are
6 canvassed under s. 7.52, the vote of an absentee elector may be challenged as
7 provided in s. 7.52 (5).

8 **SECTION 91.** 6.935 of the statutes is amended to read:

9 **6.935 Challenge based on incompetency.** Section 6.03 (3) applies to any
10 challenge of a person's right to vote under s. 6.92, 6.925 ~~or~~, 6.93, or 7.52 (5) based on
11 an allegation that an elector is incapable of understanding the objective of the
12 elective process and thereby ineligible to vote.

13 **SECTION 92.** 6.97 (1) of the statutes is amended to read:

14 **6.97 (1)** Whenever any individual who is required to provide ~~identification~~
15 proof of residence under s. 6.34 in order to be permitted to vote appears to vote at a
16 polling place and cannot provide the required ~~identification~~ proof of residence, the
17 inspectors shall offer the opportunity for the individual to vote under this section.
18 If the individual wishes to vote, the inspectors shall provide the elector with an
19 envelope marked "Ballot under s. 6.97, stats." on which the serial number of the
20 elector is entered and shall require the individual to execute on the envelope a
21 written affirmation stating that the individual is a qualified elector of the ward or
22 election district where he or she offers to vote and is eligible to vote in the election.
23 The inspectors shall, before giving the elector a ballot, write on the back of the ballot
24 the serial number of the individual corresponding to the number kept at the election
25 on the poll list or other list maintained under s. 6.79 and the notation "s. 6.97". If

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1 voting machines are used in the municipality where the individual is voting, the
2 individual's vote may be received only upon an absentee ballot furnished by the
3 municipal clerk which shall have the corresponding number from the poll list or
4 other list maintained under s. 6.79 and the notation "s. 6.97" written on the back of
5 the ballot by the inspectors before the ballot is given to the elector. When receiving
6 the individual's ballot, the inspectors shall provide the individual with written
7 voting information prescribed by the board under s. 7.08 (8). The inspectors shall
8 indicate on the list the fact that the individual is required to provide ~~identification~~
9 proof of residence but did not do so. The inspectors shall notify the individual that
10 he or she may provide ~~identification~~ proof of residence to the municipal clerk or
11 executive director of the municipal board of election commissioners. The inspectors
12 shall also promptly notify the municipal clerk or executive director of the name,
13 address, and serial number of the individual. The inspectors shall then place the
14 ballot inside the envelope and place the envelope in a separate carrier envelope.

15 **SECTION 93.** 6.97 (2) of the statutes is amended to read:

16 6.97 (2) Whenever any individual who votes by absentee ballot is required to
17 provide ~~identification~~ proof of residence in order to be permitted to vote and does not
18 provide the required ~~identification~~ proof of residence under s. 6.34, the inspectors
19 shall write on the back of the absentee ballot the serial number of the individual
20 corresponding to the number kept at the election on the poll list or other list
21 maintained under s. 6.79 and the notation "s. 6.97". The inspectors shall indicate on
22 the list the fact that the individual is required to provide ~~identification~~ proof of
23 residence but did not do so. The inspectors shall promptly notify the municipal clerk
24 or executive director of the municipal board of election commissioners of the name,
25 address, and serial number of the individual. The inspectors shall then place the

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1 ballot inside an envelope on which the name and serial number of the elector is
2 entered and shall place the envelope in a separate carrier envelope.

3 **SECTION 94.** 7.03 (1) (a) of the statutes is amended to read:

4 7.03 (1) (a) Except as authorized under this paragraph, a reasonable daily
5 compensation shall be paid to each inspector, voting machine custodian, automatic
6 tabulating equipment technician, member of a board of canvassers, messenger, and
7 tabulator who is employed and performing duties under chs. 5 to 12. Daily
8 compensation shall also be provided to ~~officials~~ inspectors and inspector trainees for
9 attendance at training programs conducted by the board and municipal clerks under
10 ~~s. ss. 7.31 and 7.315~~. Alternatively, such election officials and trainees may be paid
11 by the hour at a proportionate rate for each hour actually worked. Any election
12 official or trainee may choose to volunteer his or her services by filing with the
13 municipal clerk of the municipality in which he or she serves a written declination
14 to accept compensation. The volunteer status of the election official or trainee
15 remains effective until the official or trainee files a written revocation with the
16 municipal clerk.

17 **SECTION 95.** 7.08 (1) (c) of the statutes is amended to read:

18 7.08 (1) (c) Prescribe forms required by ss. 6.24 (3) and (4), 6.30 (4), 6.33 (1),
19 6.40 (1) (a), 6.47 (1) (a) 2. and (3), 6.55 (2) ~~and (3)~~, and 6.86 (2) and (3). All such forms
20 shall contain a statement of the penalty applicable to false or fraudulent registration
21 or voting through use of the form. Forms are not required to be furnished by the
22 board.

23 **SECTION 96.** 7.08 (8) (title) of the statutes is amended to read:

24 7.08 (8) (title) ELECTORS VOTING WITHOUT IDENTIFICATION PROOF OF RESIDENCE OR
25 PURSUANT TO COURT ORDER.

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1 **SECTION 97.** 7.08 (9) of the statutes is created to read:

2 7.08 (9) LISTS OF OUT-OF-STATE LICENSE HOLDERS. Withhold from inspection or
3 copying under s. 19.35 (1) the lists of license holders received from municipal clerks
4 under s. 7.15 (1) (L).

5 **SECTION 98.** 7.10 (1) (d) of the statutes is created to read:

6 7.10 (1) (d) The county clerk may receive and store any unused ballots after an
7 election upon request of any municipal clerk of a municipality within the county, and
8 may destroy such ballots pursuant to s. 7.23 (1) (am).

9 **SECTION 99.** 7.10 (9) of the statutes is amended to read:

10 7.10 (9) TRAINING OF ELECTION OFFICIALS. Each county clerk shall assist the
11 board in the training of election officials under ~~ss. s. 5.05 (7) and 7.31.~~

12 **SECTION 100.** 7.15 (1) (e) of the statutes is amended to read:

13 7.15 (1) (e) ~~In coordination with the board, instruct~~ Train election officials in
14 their duties, calling them together whenever advisable, advise them of changes in
15 laws, rules and procedures affecting the performance of their duties, and administer
16 examinations as authorized under s. 7.30 (2) (c). The training shall conform with the
17 requirements prescribed in rules promulgated by the board under ss. 7.31 and 7.315.

18 The clerk shall assure that officials who serve at polling places where an electronic
19 voting system is used are familiar with the system and competent to instruct electors
20 in its proper use. The clerk shall inspect systematically and thoroughly the conduct
21 of elections in the municipality so that elections are honestly, efficiently and
22 uniformly conducted.

23 **SECTION 101.** 7.15 (1) (L) of the statutes is created to read:

24 7.15 (1) (L) Compile and, no later than 7 days after each general election,
25 transmit to the board the lists of electors registering to vote under ss. 6.29 (2) (a), 6.55

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1 (2) (b) and (c) 1. and 6.86 (3) (a) 2. who presented valid drivers' licenses issued by
2 other states. The clerk shall withhold access to the lists from inspection or copying
3 under s. 19.35 (1).

4 **SECTION 102.** 7.15 (1m) of the statutes is created to read:

5 7.15 (1m) ATTEND TRAINING. Each municipal clerk shall, at least once every 2
6 years, attend training sponsored by the board under ss. 7.31 and 7.315.

7 **SECTION 103.** 7.15 (2m) of the statutes is created to read:

8 7.15 (2m) OPERATION OF ALTERNATE ABSENTEE BALLOT SITE. In a municipality in
9 which the governing body has elected to establish an alternate absentee ballot site
10 under s. 6.855, the municipal clerk shall operate such site as though it were his or
11 her office for absentee ballot purposes and shall ensure that such site is adequately
12 staffed.

13 **SECTION 104.** 7.15 (11) of the statutes is amended to read:

14 7.15 (11) TRAINING OF ELECTION OFFICIALS. Each municipal clerk shall assist the
15 board in the training of train election officials under ss. 5.05 (7) and ss. 7.31 and
16 7.315.

17 **SECTION 105.** 7.23 (1) (a) of the statutes is amended to read:

18 7.23 (1) (a) Any Except as provided in par. (am), unused materials after an
19 election and the contents of the blank ballot box after a primary may be destroyed
20 at a time and in a manner designated by the appropriate clerk.

21 **SECTION 106.** 7.23 (1) (am) of the statutes is created to read:

22 7.23 (1) (am) Unused ballots may be discarded or destroyed no earlier than the
23 day after the latest day for the filing of a petition for a recount under s. 9.01 for any
24 office on the ballots.

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1 **SECTION 107.** 7.30 (1) of the statutes is renumbered 7.30 (1) (a) and amended
2 to read:

3 7.30 (1) (a) There Except as authorized under par. (b), there shall be 7
4 inspectors for each polling place at each election. ~~In~~ Except as authorized in par. (b),
5 in municipalities where voting machines are used, the municipal governing body
6 may reduce the number of inspectors to 5. A municipal governing body may provide
7 for the appointment of additional inspectors whenever more than one voting
8 machine is used or wards are combined under s. 5.15 (6) (b). A municipal governing
9 body may provide by ordinance for the selection of alternate officials or the selection
10 of 2 or more sets of officials to work at different times on election day, and may permit
11 the municipal clerk or board of election commissioners to establish different working
12 hours for different officials assigned to the same polling place. Alternate officials
13 shall also be appointed in a number sufficient to maintain adequate staffing of
14 polling places. ~~Unless~~ Except for inspectors who are appointed under par. (b) and
15 officials who are are appointed without regard to party affiliation under sub. (4) (c),
16 additional officials shall be appointed in such a manner that the total number of
17 officials is an odd number and the predominant party under sub. (2) is represented
18 by one more official than the other party.

19 **SECTION 108.** 7.30 (1) (b) of the statutes is created to read:

20 7.30 (1) (b) Each municipality may appoint one additional inspector to serve
21 at each polling place without regard to party affiliation who shall serve as a greeter
22 to answer questions and to direct electors to the proper locations for registration and
23 voting and who shall be available to substitute for other election officials who must
24 leave the room during the voting process.

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1 **SECTION 109.** 7.30 (2) (a) of the statutes, as affected by 2005 Wisconsin Act 27,
2 is amended to read:

3 7.30 (2) (a) Only election officials appointed under this section or s. 6.875 may
4 conduct an election. Except as otherwise provided in this paragraph and in ~~s. ss.~~ 7.15
5 (1) (k) and 7.52 (1) (b), each election official shall be a qualified elector of the ward
6 or wards, or the election district, for which the polling place is established. A special
7 registration deputy who is appointed under s. 6.55 (6) or an election official who is
8 appointed under this section to fill a vacancy under par. (b) need not be a resident
9 of the ward or wards, or the election district, but shall be a resident of the
10 municipality, except that if a municipal clerk or deputy clerk serves as a registration
11 deputy or is appointed to fill a vacancy under par. (b), the clerk or deputy clerk need
12 not be a resident of the municipality, but shall be a resident of the state. No more
13 than 2 individuals holding the office of clerk or deputy clerk may serve without
14 regard to municipal residency in any municipality at any election. Special
15 registration deputies who are appointed under s. 6.55 (6) may be appointed to serve
16 more than one polling place. All officials appointed under this section shall be able
17 to read and write the English language, be capable, and be of good understanding,
18 and may not be a candidate for any office to be voted for at an election at which they
19 serve. In 1st class cities, they may hold no public office other than notary public.
20 Except as authorized under ~~sub.~~ subs. (1) (b) and (4) (c), all inspectors shall be
21 affiliated with one of the 2 recognized political parties which received the largest
22 number of votes for president, or governor in nonpresidential general election years,
23 in the ward or combination of wards served by the polling place at the last election.
24 The Excluding the inspector who may be appointed under sub. (1) (b), the party
25 which received the largest number of votes is entitled to one more inspector than the

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1 party receiving the next largest number of votes at each polling place. ~~The same~~
2 ~~election~~ Election officials appointed under this section may serve the electors of more
3 than one ward where wards are combined under s. 5.15 (6) (b). If a municipality is
4 not divided into wards, the ward requirements in this paragraph apply to the
5 municipality at large.

6 **SECTION 110.** 7.30 (2) (am) of the statutes is amended to read:

7 7.30 (2) (am) Except as otherwise provided in this paragraph, a pupil who is
8 16 or 17 years of age, and who is enrolled in grades 9 to 12 in a public or private school,
9 ~~and who has at least a 3.0 grade point average or the equivalent~~ may serve as an
10 inspector at the polling place serving the pupil's residence, with the approval of the
11 pupil's parent or guardian and of the principal of the school in which the pupil is
12 enrolled. A school board or governing body of a private school may establish criteria
13 for participation by a pupil as an inspector. A pupil may serve as an inspector at a
14 polling place under this paragraph only if at least one election official at the polling
15 place other than the chief inspector is a qualified elector of this state. No pupil may
16 serve as chief inspector at a polling place under this paragraph. Before appointment
17 by any municipality of a pupil as an inspector under this paragraph, the municipal
18 clerk shall obtain written authorization from the pupil's parent or guardian and from
19 the principal of the school where the pupil is enrolled for the pupil to serve for the
20 ~~entire term~~ election for which he or she is appointed. Upon appointment of a pupil
21 to serve as an inspector, the municipal clerk shall notify the principal of the school
22 where the pupil is enrolled of the ~~date of expiration of the pupil's term of office~~ name
23 of the pupil and the date of the election at which the pupil has been appointed to
24 serve.

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1 **SECTION 111.** 7.30 (2) (b) of the statutes, as affected by 2005 Wisconsin Act 27,
2 is amended to read:

3 7.30 (2) (b) When a vacancy occurs in an office under this section, the vacancy
4 shall be filled by appointment of the municipal clerk. The Unless the vacancy occurs
5 in the position of an inspector appointed under sub. (1) (b), the vacancy shall be filled
6 from the remaining names on the lists submitted under sub. (4) or from additional
7 names submitted by the chairperson of the county party committee of the
8 appropriate party under sub. (4) whenever names are submitted under sub. (4) (d).
9 If the vacancy is due to candidacy, sickness or any other temporary cause, the
10 appointment shall be a temporary appointment and effective only for the election at
11 which the temporary vacancy occurs. The same qualifications that applied to
12 original appointees shall be required of persons who fill vacancies except that a
13 vacancy may be filled in cases of emergency or because of time limitations by a person
14 who resides in another aldermanic district or ward within the municipality, and if
15 a municipal clerk or deputy clerk fills the vacancy, the clerk or deputy, but not more
16 than a total of 2 individuals in any municipality, may serve without regard to the
17 clerk's or deputy's municipality of residence, if the clerk or deputy meets the other
18 qualifications.

19 **SECTION 112.** 7.30 (2) (c) of the statutes is amended to read:

20 7.30 (2) (c) The governing body of any municipality may require all persons
21 serving as election officials to prove their ability to read and write English and to
22 have a general knowledge of the election laws. Examinations may be given to prove
23 the qualifications can be met. The municipal clerk shall ensure that all training
24 meets the training requirements prescribed in rules promulgated by the board under
25 ss. 7.31 and 7.315.

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1 **SECTION 113.** 7.30 (4) (a) of the statutes is amended to read:

2 7.30 (4) (a) Except in cities where there is a board of election commissioners,
3 the mayor, president or board chairperson of each municipality shall nominate to the
4 governing body no later than their last regular meeting in December of each
5 ~~even-numbered~~ odd-numbered year the necessary election officials for each polling
6 place and any election officials required under s. 7.52 (1) (b). If no regular meeting
7 is scheduled, the mayor, president or chairperson shall call a special meeting for the
8 purpose of considering nominations no later than December 31.

9 **SECTION 114.** 7.30 (4) (b) (intro.) of the statutes is amended to read:

10 7.30 (4) (b) (intro.) The 2 dominant parties, under sub. (2), are each responsible
11 for submitting a list of names from which ~~the~~ all appointees to inspector positions,
12 other than appointees to inspector positions authorized under sub. (1) (b), shall be
13 chosen.

14 **SECTION 115.** 7.30 (4) (b) 1. of the statutes is amended to read:

15 7.30 (4) (b) 1. In cities where there is a board of election commissioners, the
16 aldermanic district committeemen or committeewomen under s. 8.17 of each of the
17 2 dominant recognized political parties shall submit a certified list no later than
18 November 30 of each ~~even-numbered~~ odd-numbered year containing the names of
19 at least as many nominees as there are inspectors from that party for each of the
20 voting wards in the aldermanic district. For inspectors serving under s. 7.52 (1) (b),
21 the aldermanic district committeemen and committeewomen under s. 8.17 of the 2
22 dominant recognized political parties shall jointly submit a certified list of nominees
23 containing at least twice as many nominees as there are inspectors from that party
24 who are to be appointed under s. 7.52 (1) (b). The chairperson may designate any
25 individual whose name is submitted as a first choice nominee. The board of election

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1 commissioners shall appoint, no later than December 31 of ~~even-numbered~~
2 odd-numbered years, at least 5 inspectors for each ward. The board of election
3 commissioners shall appoint all first choice nominees for so long as positions are
4 available, unless nonappointment is authorized under par. (e), and shall appoint
5 other individuals in its discretion. The board of election commissioners may
6 designate such alternates as it deems advisable.

7 **SECTION 116.** 7.30 (4) (b) 2. of the statutes is amended to read:

8 7.30 (4) (b) 2. In municipalities other than cities and villages located in counties
9 having a population of more than 500,000, the committees organized under s. 8.17
10 from each of the 2 dominant parties under sub. (2) shall submit a list containing at
11 least as many names as there are needed appointees from that party. The list shall
12 be submitted by the chairperson of each of the 2 committees to the mayor, president
13 or chairperson of the municipality. If committees are organized in subdivisions of a
14 city, the list shall be submitted through the chairperson of the city committee. If
15 there is no municipal committee, the list shall be submitted by the chairperson of the
16 county or legislative district committee. Except as provided in par. (c), only those
17 persons submitted by the chairperson of each committee under s. 8.17 may act as
18 election officials. The chairperson may designate any individual whose name is
19 submitted as a first choice nominee. The list shall contain the signature of the
20 chairperson and secretary of the submitting committee. In cities or villages located
21 in counties having a population of more than 500,000, other than cities where there
22 is a board of election commissioners, the aldermanic district or village
23 committeeman or committeewoman for the ward or wards where each polling place
24 is located, if there is one, or for inspectors serving under s. 7.52 (1) (b), the
25 committeemen and committeewomen for the municipality acting jointly, shall

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1 submit a list containing at least as many names as there are needed appointees for
2 inspector positions from the party represented by the committeeman or
3 committeewoman or by the committeemen and committeewomen acting jointly. For
4 appointments of inspectors in cities and villages where there is no aldermanic
5 district or village committeeman or committeewoman, nominations shall proceed in
6 the same manner as in municipalities located in counties having a population of
7 500,000 or less. The list shall be submitted to the mayor or president. Except as
8 provided in par. (c), only those persons whose names are submitted as provided in
9 this paragraph may act as election officials. The committeeman or committeewoman
10 may designate any individual whose name is submitted as a first choice nominee.
11 The list shall contain the signature of the aldermanic district or village
12 committeeman or committeewoman or the chairperson of the appropriate
13 committee. Upon submission of each nominee's name, the governing body shall
14 appoint each first choice nominee for so long as positions are available, unless
15 nonappointment is authorized under par. (e), and shall appoint other nominees in its
16 discretion. If any nominee is not appointed, the mayor, president or chairperson of
17 the municipality shall immediately nominate another person from the appropriate
18 lists submitted and continue until the necessary number of election officials from
19 each party is achieved at that meeting.

20 **SECTION 117.** 7.30 (4) (c) of the statutes is amended to read:

21 7.30 (4) (c) ~~For~~ Except with respect to inspectors who are appointed under sub.
22 (1) (b), for so long as nominees are made available by the political parties under this
23 section, appointments may be made only from the lists of submitted nominees. If the
24 lists are not submitted by November 30 of the year in which appointments are to be
25 made, the board of election commissioners shall appoint, or the mayor, president or

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1 chairperson of a municipality shall nominate qualified persons whose names have
2 not been submitted. If an insufficient number of nominees appears on the lists as
3 of November 30, the board of election commissioners shall similarly appoint, or the
4 mayor, president or chairperson shall similarly nominate sufficient individuals to fill
5 the remaining vacancies. In addition, the mayor, president, or board chairperson of
6 the municipality shall similarly nominate qualified persons to serve in the inspector
7 positions authorized under sub. (1) (b). Any appointment which is made due to the
8 lack of availability of names submitted under par. (b) may be made without regard
9 to party affiliation.

10 **SECTION 118.** 7.30 (6) (a) of the statutes is amended to read:

11 7.30 (6) (a) The Except as provided in par. (am), the appointed election officials
12 shall hold office for 2 years and until their successors are appointed and qualified.
13 They shall serve at every election held in their ward during their term of office.

14 **SECTION 119.** 7.30 (6) (am) of the statutes is created to read:

15 7.30 (6) (am) A pupil appointed as an inspector under sub. (2) (am) shall serve
16 as an inspector only for the election for which he or she is appointed. Nothing in this
17 paragraph shall be construed to limit the number of times a pupil may be appointed
18 as an inspector.

19 **SECTION 120.** 7.30 (6) (b) of the statutes is amended to read:

20 7.30 (6) (b) Prior to the first election following the appointment of the
21 inspectors, the municipal clerk shall appoint one of the inspectors at each polling
22 place, other than an inspector who is appointed under sub. (1) (b), to serve as chief
23 inspector. No person may serve as chief inspector at any election who is not certified
24 by the board under s. 7.31 at the time of the election. The chief inspector shall hold
25 the position for the remainder of the term unless the inspector is removed by the clerk

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1 or the inspector ceases to be certified under s. 7.31, except that whenever wards are
2 combined or separated under s. 5.15 (6) (b), the municipal clerk shall appoint another
3 inspector who is certified under s. 7.31 to serve as chief inspector at each polling place
4 designated under s. 5.15 (6) (b). If a vacancy occurs in the position of chief inspector
5 at any polling place, the municipal clerk shall appoint one of the other inspectors who
6 is certified under s. 7.31 to fill the vacancy.

7 **SECTION 121.** 7.30 (6) (c) of the statutes is amended to read:

8 7.30 (6) (c) If any election official appointed under this section lacks the
9 qualifications set forth in this section, fails to attend training sessions required
10 under s. 7.15 (1) (e) unless excused therefrom, is guilty of neglecting his or her official
11 duties or commits official misconduct, the municipal clerk or board of election
12 commissioners shall summarily remove the official from office and the vacancy shall
13 be filled under sub. (2) (b).

14 **SECTION 122.** 7.315 of the statutes is created to read:

15 **7.315 Training of other election officials.** (1) (a) The board shall, by rule,
16 prescribe the contents of the training that municipal clerks must provide to
17 inspectors, other than chief inspectors, to special voting deputies appointed under
18 s. 6.875, and to special registration deputies appointed under ss. 6.26 and 6.55 (6).

19 (b) 1. Except as provided in subd. 2., no individual may serve as an inspector,
20 other than a chief inspector, as a special voting deputy under s. 6.875, or as a special
21 registration deputy under s. 6.26 or 6.55 (6) at any election unless the individual has
22 completed training for that election provided by the municipal clerk pursuant to
23 rules promulgated under par. (a).

24 2. Only when an individual who has received training under subd. 1. is
25 unavailable to perform his or her election duties due to sickness, injury, or other

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1 unforeseen occurrence may an individual who has not received training under subd.
2 1. be appointed to serve as an inspector, other than chief inspector, or a special voting
3 deputy or special registration deputy. The appointment of an individual to serve
4 under this subdivision shall be for a specific election and no individual may be
5 appointed under this subdivision more than one time in a 2-year period.

6 (2) The board shall, by rule, prescribe requirements for, and the content of,
7 training required of municipal clerks under s. 7.15 (1m). The board may provide such
8 training directly or arrange for such training to be provided by other organizations.
9 The rules may not require training more than once every 2 years. The rules shall
10 provide a method for notifying the relevant municipal governing body if a municipal
11 clerk fails to attend required training.

12 (3) The board may produce and periodically reissue as necessary a video
13 program for the purpose of training election officials, including special voting
14 deputies and special registration deputies. The board shall make any such program
15 available for viewing electronically through an Internet-based system.

16 **SECTION 123.** 7.32 of the statutes is amended to read:

17 **7.32 Change of election official numbers.** Notwithstanding s. 7.30 (1) (a),
18 the governing body or board of election commissioners of any municipality may by
19 resolution reduce the number of election officials and modify or rescind any similar
20 previous action. No such action may reduce the number of officials at a polling place
21 to less than 3.

22 **SECTION 124.** 7.33 (3) of the statutes is amended to read:

23 7.33 (3) Every employer shall grant to each employee who is appointed to serve
24 as an election official under s. 7.30 a leave of absence for the entire 24-hour period
25 of each election day in which the official serves in his or her official capacity. An

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1 employee who serves as an election official shall provide his or her employer with at
2 least 7 days' notice of application for a leave. The municipal clerk shall verify
3 appointments upon request of any employer.

4 **SECTION 125.** 7.33 (4) of the statutes is amended to read:

5 7.33 (4) Except as otherwise provided in this subsection, each local
6 governmental unit, as defined in s. 16.97 (7), may, and each state agency shall, upon
7 proper application under sub. (3), permit each of its employees to serve as an election
8 official under s. 7.30 without loss of fringe benefits or seniority privileges earned for
9 scheduled working hours during the period specified in sub. (3), without loss of pay
10 for scheduled working hours during the period specified in sub. (3) except as provided
11 in sub. (5), and without any other penalty. For employees who are included in a
12 collective bargaining unit for which a representative is recognized or certified under
13 subch. V of ch. 111, this subsection shall apply unless otherwise provided in a
14 collective bargaining agreement.

15 **SECTION 126.** 7.33 (6) of the statutes is amended to read:

16 7.33 (6) Each employer other than a state agency shall, upon proper application
17 under sub. (3), permit each of its employees to serve as an election official under s.
18 7.30 without loss of fringe benefits or seniority privileges earned for scheduled
19 working hours during the period specified in sub. (3), and shall not impose any other
20 penalty upon an employee who serves as an election official, except the employer
21 need not pay wages to an employee for time not worked while the employee is serving
22 as an election official.

23 **SECTION 127.** 7.37 (2) of the statutes is amended to read:

24 7.37 (2) PRESERVE ORDER. The inspectors shall possess full authority to
25 maintain order and to enforce obedience to their lawful commands during the

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1 election and the canvass of the votes. They shall permit only one person in a voting
2 booth at a time and shall prevent any person from taking notice of how another
3 person has voted, except when assistance is given under s. 6.82. They shall enforce
4 s. 5.35 (5) and prevent electioneering and distribution of election-related material
5 from taking place in violation of ~~s. ss.~~ ss. 12.03 and 12.035. If any person refuses to obey
6 the lawful commands of an inspector, or is disorderly in the presence or hearing of
7 the inspectors, interrupts or disturbs the proceedings, they may order any law
8 enforcement officer to remove the person from the voting area or to take the person
9 into custody.

10 **SECTION 128.** 7.37 (13) of the statutes is created to read:

11 **7.37 (13) CLOSING OF POLLS.** For each polling place, the municipal clerk shall
12 designate an official of the municipality who shall position himself or herself at the
13 end of the line of individuals waiting to vote, if any at the time that the polls officially
14 close. The official may be an inspector or special registration deputy appointed under
15 s. 6.55 (6) who serves at that polling place, an employee of the municipal clerk or a
16 police officer, Only individuals in line ahead of the official shall be permitted to vote
17 under s. 6.78 (4).

18 **SECTION 129.** 7.41 of the statutes is amended to read:

19 **7.41 Public's right to access.** (1) Any member of the public may be present
20 at any polling place, in the office of any municipal clerk whose office is located in a
21 public building on any day that absentee ballots may be cast in that office, or at an
22 alternate site under s. 6.855 on any day that absentee ballots may be cast at that site
23 for the purpose of observation of an election and the absentee ballot voting process,
24 except a candidate whose name appears on the ballot at the polling place or on an
25 absentee ballot to be cast at the clerk's office or alternate site at that election. The

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1 chief inspector or municipal clerk may reasonably limit the number of persons
2 representing the same organization who are permitted to observe ~~an election~~ under
3 this subsection at the same time.

4 (2) The chief inspector or municipal clerk may restrict the location of any
5 individual exercising the right under sub. (1) to certain areas within a polling place,
6 the clerk's office, or alternate site under s. 6.855. The chief inspector or municipal
7 clerk shall clearly designate such an area as an observation area. Designated
8 observation areas shall be so positioned to permit any authorized individual to
9 readily observe all public aspects of the voting process.

10 (3) The chief inspector or municipal clerk may order the removal of any
11 individual exercising the right under sub. (1) if that individual commits an overt act
12 which:

13 (a) Disrupts the operation of the polling place, clerk's office, or alternate site
14 under s. 6.855; or

15 (b) Violates s. 12.03 (2) or 12.035.

16 (4) No individual exercising the right under sub. (1) may view the confidential
17 portion of a registration list maintained under s. 6.36 (4) or a poll list maintained
18 under s. 6.79 (6). However, the inspectors or municipal clerk shall disclose to such
19 an individual, upon request, the existence of such a list, the number of electors whose
20 names appear on the list, and the number of those electors who have voted at any
21 point in the proceedings. No such individual may view the certificate of an absent
22 elector who obtains a confidential listing under s. 6.47 (2).

23 **SECTION 130.** 7.41 (5) of the statutes is created to read:

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1 7.41 (5) The board shall promulgate rules regarding the proper conduct of
2 individuals exercising the right under sub. (1), including the interaction of those
3 individuals with inspectors and other election officials.

4 **SECTION 131.** 7.51 (1) of the statutes is amended to read:

5 7.51 (1) CANVASS PROCEDURE. Immediately after the polls close the inspectors
6 except any inspector appointed under s. 7.30 (1) (b) shall proceed to canvass publicly
7 all votes received at the polling place. In any municipality where an electronic voting
8 system is used, the municipal governing body or board of election commissioners may
9 provide or authorize the municipal clerk or executive director of the board of election
10 commissioners to provide for the adjournment of the canvass to one or more central
11 counting locations for specified polling places in the manner prescribed in subch. III
12 of ch. 5. No central counting location may be used to count votes at a polling place
13 where an electronic voting system is not employed. The canvass, whether conducted
14 at the polling place or at a central counting location, shall continue without
15 adjournment until the canvass is completed and the return statements are
16 statement is made or, in municipalities where absentee ballots are canvassed under
17 s. 7.52, until the canvass of all ballots cast is completed and the return statement for
18 those ballots are made. The inspectors shall not permit access to the name of any
19 elector who has obtained a confidential listing under s. 6.47 (2) during the canvass,
20 except as authorized in s. 6.47 (8).

21 **SECTION 132.** 7.51 (2) (c) of the statutes is amended to read:

22 7.51 (2) (c) Whenever the number of ballots exceeds the number of voting
23 electors as indicated on the poll list, the inspectors shall place all ballots face up to
24 check for blank ballots. In this paragraph, “blank ballot” means a ballot on which
25 no votes are cast for any office or question. The inspectors shall mark, lay aside and

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1 preserve any blank ballots. If Except in municipalities where absentee ballots are
2 canvassed under s. 7.52, if the number of ballots still exceeds the number of voting
3 electors, the inspectors shall place all ballots face down and proceed to check for the
4 initials. The inspectors shall mark, lay aside and preserve any ballot not bearing the
5 initials of 2 inspectors or any absentee ballot not bearing the initials of the municipal
6 clerk. During the count the inspectors shall count those ballots cast by challenged
7 electors the same as the other ballots.

8 **SECTION 133.** 7.51 (2) (e) of the statutes is amended to read:

9 7.51 (2) (e) If, Except in municipalities where absentee ballots are canvassed
10 under s. 7.52, if after any ballots have been laid aside, the number of ballots still
11 exceeds the total number of electors recorded on the poll list, the inspectors shall
12 separate the absentee ballots from the other ballots. If there is an excess number of
13 absentee ballots, the inspectors shall place the absentee ballots in the ballot box and
14 one of the inspectors shall publicly and without examination draw therefrom by
15 chance the number of ballots equal to the excess number of absentee ballots. If there
16 is an excess number of ~~other~~ nonabsentee ballots, the inspectors shall place those
17 ballots in the ballot box and one of the inspectors shall publicly and without
18 examination draw therefrom by chance the number of ballots equal to the excess
19 number of those ballots. All ballots so removed may not be counted but shall be
20 specially marked as having been removed by the inspectors on original canvass due
21 to an excess number of ballots, set aside and preserved. When the number of ballots
22 and total shown on the poll list agree, the inspectors shall return all ballots to be
23 counted to the ballot box and shall turn the ballot box in such manner as to
24 thoroughly mix the ballots. The inspectors shall then open, count and record the
25 number of votes. When the ballots are counted, the inspectors shall separate them

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1 into piles for ballots similarly voted. Objections may be made to placement of ballots
2 in the piles at the time the separation is made.

3 **SECTION 134.** 7.51 (3) (d) of the statutes is amended to read:

4 7.51 (3) (d) All Except in municipalities where absentee ballots are canvassed
5 under s. 7.52, all absentee certificate envelopes which have been opened shall be
6 returned by the inspectors to the municipal clerk in a securely sealed carrier
7 envelope which is clearly marked “used absentee certificate envelopes”. The
8 envelopes shall be signed by the chief inspector and 2 other inspectors. Except when
9 the ballots are used in a municipal or school district election only, the municipal clerk
10 shall transmit the used envelopes to the county clerk.

11 **SECTION 135.** 7.51 (4) (a) of the statutes is amended to read:

12 7.51 (4) (a) The tally sheets shall state the total number of votes cast for each
13 office and for each individual receiving votes for that office, whether or not the
14 individual’s name appears on the ballot, and shall state the vote for and against each
15 proposition voted on. Upon completion of the tally sheets, the inspectors shall
16 immediately complete the inspectors’ statements in duplicate statement. The
17 inspectors shall state the excess, if any, by which the number of ballots exceeds the
18 number of electors voting as shown by the poll list and shall state the number of the
19 last elector as shown by the poll lists. At least 3 inspectors, including the chief
20 inspector and, unless election officials are appointed under s. 7.30 (4) (c) without
21 regard to party affiliation, at least one inspector representing each political party,
22 but not including any inspector appointed under s. 7.30 (1) (b), shall then certify to
23 the correctness of the ~~statements~~ statement and tally sheets and sign their names.
24 All other election officials assisting with the tally shall also certify to the correctness

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1 of the tally sheets. When the tally is complete, the inspectors shall publicly announce
2 the results from the ~~statements~~ statement.

3 **SECTION 136.** 7.51 (5) (a) of the statutes is amended to read:

4 7.51 (5) (a) 1. The inspectors shall make full and accurate return of the votes
5 cast for each candidate and proposition on tally sheet forms provided by the
6 municipal clerk for that purpose. Each tally sheet shall record the returns for each
7 office or referendum by ward, unless combined returns are authorized in accordance
8 with s. 5.15 (6) (b) in which case the tally sheet shall record the returns for each group
9 of combined wards.

10 2. After recording the votes, the inspectors shall seal in a carrier envelope
11 outside the ballot bag or container ~~one inspectors' statement under sub. (4) (a), one~~
12 tally sheet, and one poll list for delivery to the county clerk, unless the election relates
13 only to municipal or school district offices or referenda.

14 3. The inspectors shall also ~~similarly~~ seal ~~one~~ the inspectors' statement, inside
15 a separate carrier envelope, and shall similarly seal in a separate carrier envelope
16 one tally sheet, and one poll list for delivery to the municipal clerk. For school district
17 elections, except in 1st class cities, the inspectors shall ~~similarly~~ seal ~~one inspectors'~~
18 ~~statement,~~ one tally sheet, and one poll list for delivery to the school district clerk.

19 4. The inspectors shall immediately deliver all ballots, statements, tally sheets,
20 lists, and envelopes to the municipal clerk.

21 **SECTION 137.** 7.51 (5) (a) 5. of the statutes is created to read:

22 7.51 (5) (a) 5. Upon receipt of the materials under subd. 4., the municipal clerk
23 shall make sufficient copies of the inspectors' statement under sub. (4) (a) and seal
24 one copy of the statement inside a carrier envelope together with the envelope

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1 containing any materials required to be delivered to the county clerk or the school
2 district clerk. The municipal clerk shall retain the original inspectors' statement.

3 **SECTION 138.** 7.51 (5) (b) of the statutes is amended to read:

4 7.51 (5) (b) The municipal clerk shall ~~arrange for delivery of~~ deliver all ballots,
5 statements, tally sheets, lists, and envelopes relating to a school district election to
6 the school district clerk by 4 p.m. on the day following each such election. The
7 municipal clerk shall deliver the ballots, statements, tally sheets, lists, and
8 envelopes for his or her municipality relating to any county, technical college district,
9 state, or national election to the county clerk by ~~2~~ 4 p.m. on the day following each
10 such election or, in municipalities where absentee ballots are canvassed under s.
11 7.52, by 4. p.m. on the 2nd day following each such election. The person delivering
12 the returns shall be paid out of the municipal treasury. Each clerk shall retain
13 ballots, statements, tally sheets, or envelopes received by the clerk until destruction
14 is authorized under s. 7.23 (1).

15 **SECTION 139.** 7.52 of the statutes is created to read:

16 **7.52 Canvassing of absentee ballots.** (1) (a) The governing body of any
17 municipality may provide by ordinance that, in lieu of canvassing absentee ballots
18 at polling places under s. 6.88, the municipal board of absentee ballot canvassers
19 designated under s. 7.53 (2m) shall canvass all absentee ballots at all elections held
20 in the municipality. Prior to enacting an ordinance under this subsection, the
21 municipal clerk or board of election commissioners of the municipality shall notify
22 the board in writing of the proposed enactment and shall consult with the board
23 concerning administration of this section. At every election held in the municipality
24 following enactment of an ordinance under this subsection, the board of absentee
25 ballot canvassers shall, any time after the opening of the polls and before 10 p.m. on

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1 election day, publicly convene to count the absentee ballots for the municipality. The
2 municipal clerk shall give at least 48 hours' notice of any meeting under this
3 subsection. Any member of the public has the same right of access to a meeting of
4 the municipal board of absentee ballot canvassers under this subsection that the
5 individual would have under s. 7.41 to observe the proceedings at a polling place. The
6 board of absentee ballot canvassers may order the removal of any individual
7 exercising the right to observe the proceedings if the individual disrupts the meeting.

8 (b) A municipality that adopts the canvassing procedure under this section may
9 appoint additional inspectors under s. 7.30 (2) (a) to assist the absentee ballot board
10 of canvassers in canvassing absentee ballots under this section. In such case, an odd
11 number of inspectors shall be appointed, and at no time may there be less than 3
12 inspectors who serve. Except as authorized in s. 7.30 (4) (c), all inspectors shall be
13 affiliated with one of the 2 recognized political parties receiving the largest numbers
14 of votes for president, or for governor in nonpresidential general election years, in the
15 municipality. The party whose candidate received the largest number of votes in the
16 municipality is entitled to one more inspector than the party whose candidate
17 received the next largest number of votes in the municipality. Each inspector so
18 appointed shall be a qualified elector of the municipality. The inspectors who are
19 appointed under this paragraph shall serve under the direction and supervision of
20 the board of absentee ballot canvassers.

21 (c) In each municipality where absentee ballots are canvassed under this
22 section, no later than the closing hour of the polls, the municipal clerk shall post at
23 his or her office and on the Internet at a site announced by the clerk before the polls
24 open, and shall make available to any person upon request, a statement of the
25 number of absentee ballots that the clerk has mailed or transmitted to electors and

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1 that have been returned by the closing hour on election day. The posting shall not
2 include the names or addresses of any electors.

3 (2) In counting the absentee ballots, the board of absentee ballot canvassers
4 shall use 2 duplicate copies of a single poll list for the entire municipality prepared
5 in accordance with s. 6.36 (2). Upon accepting each absentee ballot, the board of
6 absentee ballot canvassers shall enter a poll list number on the poll list next to the
7 name of the elector who voted the ballot, beginning with the number one. If the
8 elector's name does not appear on the poll list, the board of absentee ballot
9 canvassers shall enter the number on a separate list maintained under this
10 subsection.

11 (3) (a) The board of absentee ballot canvassers shall first open the carrier
12 envelope only, and, in such a manner that a member of the public, if he or she desired,
13 could hear, announce the name of the absent elector or the identification serial
14 number of the absent elector if the elector has a confidential listing under s. 6.47 (2).
15 When the board of absentee ballot canvassers finds that the certification has been
16 properly executed and the applicant is a qualified elector of the ward or election
17 district, the board of absentee ballot canvassers shall enter an indication on the poll
18 list next to the applicant's name indicating an absentee ballot is cast by the elector.
19 The board of absentee ballot canvassers shall then open the envelope containing the
20 ballot in a manner so as not to deface or destroy the certification thereon. The board
21 of absentee ballot canvassers shall take out the ballot without unfolding it or
22 permitting it to be unfolded or examined. Unless the ballot is cast under s. 6.95, the
23 board of absentee ballot canvassers shall verify that the ballot has been endorsed by
24 the issuing clerk. If the poll list indicates that proof of residence is required and no
25 proof of residence is enclosed or the name or address on the document that is provided

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1 is not the same as the name and address shown on the poll list, the board of absentee
2 ballot canvassers shall proceed as provided under s. 6.97 (2). The board of absentee
3 ballot canvassers shall mark the poll list number of each elector who casts an
4 absentee ballot on the back of the elector's ballot. The board of absentee ballot
5 canvassers shall then deposit the ballot into the proper ballot box and enter the
6 absent elector's name or poll list number after his or her name on the poll list.

7 (b) When the board of absentee ballot canvassers finds that a certification is
8 insufficient, that the applicant is not a qualified elector in the ward or election
9 district, that the ballot envelope is open or has been opened and resealed, that the
10 ballot envelope contains more than one ballot of any one kind, or that the certificate
11 of an elector who received an absentee ballot by facsimile transmission or electronic
12 mail is missing, or if proof is submitted to the board of absentee ballot canvassers that
13 an elector voting an absentee ballot has since died, the board of absentee ballot
14 canvassers shall not count the ballot. Each member of the board of absentee ballot
15 canvassers shall endorse every ballot not counted on the back as "rejected (giving the
16 reason)." The board of absentee ballot canvassers shall reinsert each rejected ballot
17 into the certificate envelope in which it was delivered and enclose the certificate
18 envelopes and ballots, and securely seal the ballots and envelopes in an envelope
19 marked for rejected absentee ballots. The board of absentee ballot canvassers shall
20 endorse the envelope as "rejected ballots," with a statement of the ward or election
21 district and date of the election, and each member of the board of absentee ballot
22 canvassers shall sign the statement. The board of absentee ballot canvassers shall
23 then return the envelope containing the ballots to the municipal clerk.

24 (4) (a) The board of absentee ballot canvassers shall then open the ballot box
25 and remove and count the number of ballots therein without examination except as

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1 is necessary to ascertain that each is a single ballot. If 2 or more ballots are folded
2 together so as to appear as a single ballot, the board of absentee ballot canvassers
3 shall lay them aside until the count is completed; and if, after a comparison of the
4 count and the appearance of the ballots it appears to the board of absentee ballot
5 canvassers that the ballots folded together were voted by the same person they shall
6 not be counted but the board of absentee ballot canvassers shall mark them as to the
7 reason for removal, set them aside, and carefully preserve them. The board of
8 absentee ballot canvassers shall then proceed under par. (b).

9 (b) When during the counting of the ballots cast at an election the board of
10 absentee ballot canvassers finds that a ballot is so defective that it cannot determine
11 with reasonable certainty for whom it was cast, the board of absentee ballot
12 canvassers shall so mark the ballot and preserve it. The board of absentee ballot
13 canvassers shall not count the vote cast on the ballot for any office for which it
14 determines the ballot to be defective.

15 (c) Whenever the number of ballots exceeds the number of voting electors as
16 indicated on the poll list, the board of absentee ballot canvassers shall place all
17 ballots face up to check for blank ballots. In this paragraph, "blank ballot" means
18 a ballot on which no votes are cast for any office or question. The board of absentee
19 ballot canvassers shall mark, lay aside, and preserve any blank ballots. If the
20 number of ballots still exceeds the number of voting electors, the board of absentee
21 ballot canvassers shall place all ballots face down and proceed to check for the
22 initials. The board of absentee ballot canvassers shall mark, lay aside, and preserve
23 any ballot not bearing the initials of the municipal clerk. During the count, the board
24 of absentee ballot canvassers shall count those ballots cast by challenged electors the
25 same as the other ballots.